

# THE WEATHER.

U. S. Weather Bureau,  
May 15.—Last 24 Hours:  
Rainfall, .00. Temperature,  
Max. 78, Min. 70.  
Weather, fair.

# Sunday Advertiser.

## THE SUGAR MARKET.

96 Degree Test Cen-  
trifugals, 3.92c. Per Ton,  
\$78.40.  
88 Analysis Beets, 10c.  
7 1/2d. Per Ton, \$84.80.

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HONOLULU, HAWAII TERRITORY, SUNDAY, MAY 16, 1909.—SIXTEEN PAGES.

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Class Matter. Under Act of Congress of March 3, 1879.

## THINGS ARE ABOUT THE SAME IN THE ZONE OF PLANTATION STRIKERS

The situation has not improved any, and it is unlikely that the Japanese will return to work Monday as they said they would when they struck off work last Friday.—Report last night from Ewa plantation.

Everything is quiet here, the situation is unchanged, and we are keeping the mill going. We will finish up the cut cane tomorrow (Sunday), working all day as usual.—Report from Oahu (Waipahu) plantation.

We will not have so many men at work on Sunday as today, but everything is going ahead with the new laborers. The fields are being cleaned up and grinding goes on. Have not heard of any meetings today.—Report from Honolulu (Aiea) plantation at 11 p. m. last night.

### Fires at Ewa Plantation.

The following statement issued yesterday by E. D. Tenney, president of Ewa plantation, discloses pertinent speculation with regard to two mysterious fires which started on Ewa plantation after midnight yesterday morning but which, fortunately, were extinguished before much damage was done. Just how these fires started, or who was responsible for them, does not yet appear. Mr. Tenney's statement follows: "During the greater part of yesterday and last night the laborers were holding meetings—the indication seems to be that their original plan of formulating demands, to be submitted to the management, and then returning to work on Monday, will be carried out. This despite the efforts of a rough element, resident on the kuleanas in the Honolulu valley, who have, I understand, endeavored to the utmost extent to influence the laborers to refrain from returning to work.

"Last night at 12 o'clock there was a fire in Field No. 20 and later, at 2 a. m., in Field No. 11—both of these fires were put out promptly by the people living near. The area burned is insignificant—perhaps not more than an acre altogether. I am very doubtful if plantation laborers set these fires, although it is very significant to note that both of these fields are plantation fields; that is, not fields cultivated by contractors, and hence none of the laborers have any direct financial interest in them."

### Strike Breakers Plentiful.

Strike breakers are plentiful and the plantations are having no trouble securing men in town at \$1.50 per day to take the places of the striking Japanese laborers. On Friday nearly three hundred men went to Aiea, and yesterday morning two trains were used to transport reinforcements. At 7 a. m. yesterday a special left for Honolulu (Aiea) plantation with 450 men, including Hawaiians, Porto Ricans, Portuguese and Chinese. On Monday more will be sent down, and at the same time it is expected that a draft of "breakers" will be sent to Waipahu. On Monday the Japanese of Ewa plantation who "walked out" on Friday for "a holiday," as they expressed it, are expected to go back to work and they will then present their demands and await some action on them.

## Japanese Laborer Not a Tenant

In Re Japanese Strike.—Is a Japanese laborer occupying one of the plantation cottages a lessee or tenant of the plantation, to whom ten days' notice to quit must be given, even after he has, of his own accord, ceased to work for the plantation?

The Hawaiian statute is Section 2089. This statute applies only where the relation of landlord and tenant exists between the parties, according to many Hawaiian cases.

The authorities hold that a servant allowed to occupy a house on the premises of the master without any express letting or any fixing of rent, does not become a tenant of any kind. This is surely true if the occupancy is incidental to the employment and for the benefit of the employer in carrying on the work.

McQuade vs. Emmons, 38 N. J. Law, 397, 399.

106 Mich. 330.

60 N. Y. 221.

32 Century Digest 52, par. 36, and 475, par. 431, and 450, par. 405. See also 18 Enc. of Law 171; 24 do. 880.

"It is not necessary that occupation of a house or apartments should be a necessary incident to the service to be performed in order that the right to continue in possession should end with the service. It is enough if such occupancy is convenient for the purposes of the service and was obtained by reason of the contract of hire."

Bowman vs. Bradley, 151 Penn. St. 351, 17 L. R. A.

"If the contract [i. e., of employment] was rightfully terminated, then the plaintiff's right to the house was at an end, and he could be lawfully put out of possession."

151 Penn. St. 351.

"The occupation of the house by McQuade and his family was part of his compensation for the performance of his engagement with the defendant; it does not show any demise of the house; the possession of McQuade was the possession of his employer and, when he was dismissed from the service and the legal relation existing between them thereby put an end to, his right of occupation was ended and his longer remaining on the premises of his master was a trespass."

The possession of a servant is the possession of his master, and, if he continues in possession after his employment has terminated, the master has "legal right to remove the furniture and goods therein and to employ the necessary force for that purpose."

60 N. Y. 221.

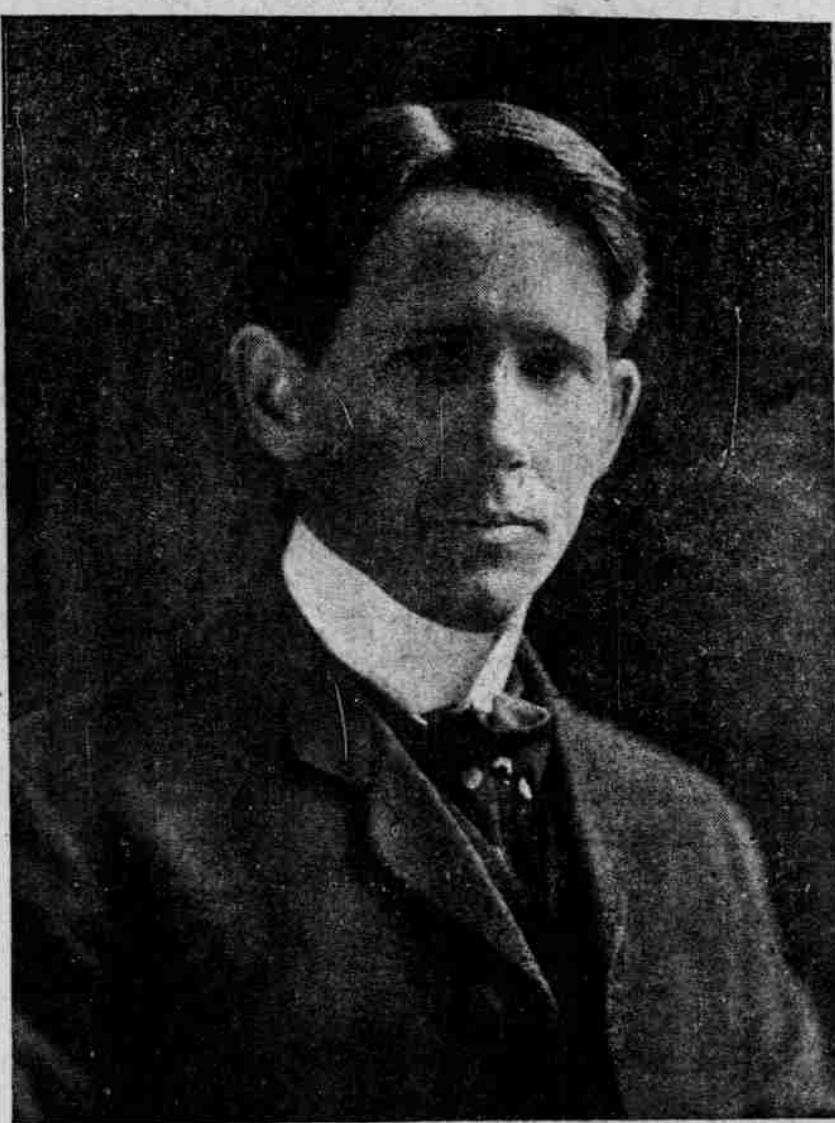
"The master may remove without suit."

38 N. J. Law 397.

## DEATH OF FORMER MINISTER OF CENTRAL UNION CHURCH

(Associated Press Cablegram.)

WILTON, New Hampshire, May 16.—Rev. J. Walter Sylvester, D. D., formerly of Honolulu, is dead.



THE LATE REV. DR. J. W. SYLVESTER.

Dr. Sylvester came here from Colorado about three years ago in bad health and preached, for something less than a year, in Central Union pulpit. He was succeeded by the present minister, Rev. Dr. Seudder. A few months ago he was married in New Hampshire to a young woman who had been his playmate in early youth.

## CAPTAIN GOODWIN RELATES TALE OF EVENTFUL VOYAGE OF THE BIG SHIP DIRIGO

Struck by lightning, which shattered the foremast into splinters, and springing a dangerous leak below the water line that forced her to make port for repairs at Rio Janeiro, the big ship Dirigo, which arrived here yesterday with 453 tons of coal for Uncle Sam, has had such an eventful passage that her skipper, Captain George William Goodwin, declares that he will never make another voyage around Cape Horn. The Dirigo is one of the finest ships afloat, but Captain Goodwin states that it will take more than money to induce him to run the chances of having to undergo another such experience as he has just passed through.

A story of terrific gales, thunderstorms illuminated by flashes of lightning, and bad weather almost from the beginning of the long voyage away back in October, 1908, until she arrived here yesterday is what the Dirigo brought. Hurricanes in which a smaller vessel would, in all probability, have gone to the bottom were encountered. Mountainous seas that washed the decks and made the vessel almost unmanageable became a part of the daily budget of events. But through it all the old Dirigo stood up, and yesterday morning she was sighted off Diamond Head, being towed to her berth at the Channel wharf late last evening.

Captain Goodwin tells the tale of his eventful trip in few words, with the exciting details left out. He does not tell all he might of the steadfast labor that was performed at the pumps when the vessel was leaking badly, nor does he waste words in the description of the incident when a bolt of lightning shot from the sky and, in the twinkling of an eye, converted what had been a fine piece of sailing-carrying timber into a million tiny splinters. Things like these Captain Goodwin doesn't wall over; but they were enough, however, to make him declare that, after over half a hundred trips around the Horn, he'll never make another one.

"We left Baltimore," said Captain Goodwin, "on October 26, 1908." Owing to a heavy gale which was blowing from the eastward, we anchored at Cape Henry and did not proceed to sea until the following Friday. We then sailed in company with the ship Acme, which was bound for San Francisco, for considerable time. Of course, we stuck on canvas and tried to show a clean pair of heels to each other. For several days we were together, with strong west and north-west winds blowing all the time.

"On Friday, November 6, we had a heavy gale from southeast to southwest, during which we lost several sails and, incidentally, left the Acme behind. The loss of those sails was merely the beginning of our troubles, however, for things came in bunches

after that. Of course, the first ill-luck which befell us was when we ran into the gale which delayed us off Cape Henry, thus forcing us to go to sea on a Friday.

"During the terrific wind and the heavy sea which came up, the ship rolled from side to side, creaking and groaning, and, owing to the cross-seas running—one from the northwest and the other from the southward—the decks were flooded fore and aft. It was a nasty situation.

"At four p. m. on November 6 the carpenter came to me and reported that the ship was leaking. He also said that there was a great quantity of water in the hold. I immediately went down in the lower hold, through the lazaret hatch and found the water rushing in through a crack in a plate twelve feet under water. To stop this, if possible, I made a pad out of cotton batting, soaked it in white lead, and placed it over the crack. Then, over this, I fastened a plank that wedged it in and stopped the great part of the inflow of water.

"There was not any water in the hold when the pumps were sounded at eight o'clock that morning, but, when we had stopped the leak, we found that the hold contained two and one-half feet of the brine which had poured in. Perhaps you think I wasn't thankful that the leak was where I could get at it! The crack was twelve inches long, and if it had been in a place impossible for me to reach, I doubt very much if the pumps could have kept the ship on the top of the water.

"Well, we pumped out, as much of the water as we could, and then I took up the floor and hoisted the rest up through the lazaret hatch, using big oil-drums to do the work. We were two days getting all of that water out of the ship. As the leak was so far aft, I thought at first that I could build a bulkhead, fill it in with cement, stop the leak, and keep on my voyage. I worked on this scheme for several days, but in spite of all we could do—and we left nothing undone that we could possibly think of—the water continued to force its way through and wash the cement away. We had to place from forty to fifty barrels of water out of the hold every day.

"So it seemed that I could do nothing, and I decided to go into Rio for repairs. Two days after the gale we sighted the Acme with her foretopgallant mast gone. She had had a taste of the medicine which the elements had been giving us.

"The following Friday—fateful day—we had another gale, accompanied by thunder and lightning. During this the ship was struck by lightning, the foremast splintering this mast, considerable other damage was done, but we considered ourselves lucky to escape as we did. Between the parallels of 30 degrees and 20 degrees north we had a continuation of thunder and lightning and squalls of hurricane force.

"On the eve of November 24 we saw an unusually large comet which seemed to be standing on its head. It had

## SHARP SEISMIC SHOCK ALARMS MONTANA TOWNS AND A CANADIAN CITY

(Associated Press Cablegrams.)

GREAT FALLS, Mont., May 16.—A sharp earthquake was felt here last night. Glassware was broken throughout the city.

HELENA, Mont., May 16.—In an earthquake here last night the wall of one house was thrown down and minor damage done.

WINNIPEG, May 16.—An earthquake shock lasting twenty seconds was felt here yesterday.

## YALE DEFEATS HARVARD

NEW HAVEN, Conn., May 16.—Yale defeated Harvard in the field meet.

### PAPKE BESTS KELLY.

SAN FRANCISCO, May 15.—Papke knocked out Hugo Kelly in the first round of the forty-five round fight here today for the middleweight championship of the world. Betting at the ringside was ten to eight on Papke.

### BRITISH NAVAL HOSPITALITY.

ESQUIMALT, May 15.—British naval officers here will entertain the officers and Admiral of the Japanese training cruiser squadron, Aso and Soya.

### CHINESE RAILROAD CONCESSIONS.

BERLIN, May 15.—Banking concerns interested in the settlement of the Chinese railroad concessions have arranged therefor.

### NAVAL CHANGES.

NEW YORK, May 15.—Captain J. B. Murdock succeeds Admiral Goodrich, retired, as commandant of the New York navy yard.

### SLOW WORK ON TARIFF.

WASHINGTON, May 15.—An agreement on the tariff is not expected to be reached before August.

the longest tail of any comet I ever saw. It was in sight two evenings. We did not get any trade winds until we got to 16 degrees north, and even then the trades were nothing to boast of. We crossed the Equator in 32 degrees, no minutes, and arrived at Rio on December 16, being forty-seven days from the Cape of Virginia.

"Now what troubles me is to discover where the hoodoo came in! Was it because I sailed on a Friday or because I was in company with the Acme?"

"Our passage from Rio to Cape Horn was uneventful, light winds and fair weather prevailing all the way. We were in Rio long enough to collect a fine crop of barnacles on the ship's bottom, and these made a difference of twenty-five miles per day in our sailing. On the way to Rio we left every vessel we saw behind us, but, on account of the barnacles, we were badly beaten by every windjammer on the trip here. Why, you could paddle a bale of hay faster than this ship will sail in light winds when she is foul. And it's very annoying, especially when a fellow has a cancelling date to his charter so near at hand.

"We took the southeast trades in 28 degrees and had them, very light and unsteady, the rest of the voyage. We crossed the equator on April 21, in 117 degrees west. From that time until we arrived here today we had had alternate squalls and calms and unsettled trades.

"This eventful passage ends my fifty-sixth and last passage around Cape Horn. I've had enough this time."

Notwithstanding the fact that her cargo is composed of a heavy shipment of coal, the Dirigo came into port yesterday slick and clean as a whistle. She is a beautiful ship, and has splendid cabin appointments, only surpassed by those on the steam liners. Captain Goodwin was greeted by Joe Gilman, who is agent for the owners of the ship, yesterday afternoon, as well as by a number of friends who have become acquainted with the genial skipper during his many visits to this port. Mr. Day, the first officer on the Dirigo, is also well known in this city, and there was a quota of his friends at the wharf to bid him "aloha" after the long voyage.

The Dirigo is docked at the Channel wharf, where she will discharge her cargo.

Captain Goodwin wrote the following description of Rio Janeiro, in which port his vessel was laid up for repairs: "The harbor of Rio de Janeiro is one of the best in the world. The waterfront of the city is one continuous park or garden, and is kept in fine order. They have a perfect electric light system and it is the best lighted of any city I was ever in. I could see the loom of the city lights when forty miles out at sea. The new improvements in the streets and buildings will compare favorably with any city in the world. The United States is well represented by Mr. George Anderson, the Consul General, a courteous and agreeable gentleman who is ready to assist one in any way he can.

"The one great drawback to Rio is the excessive heat in summer. Then everyone who is able lives up in the mountains at Petropolis. The facilities for repairing ships are as good there as they are at any port. Mr. Lage of Lage Brothers Co., one of the most energetic, fair-minded and courteous (Continued on Page Eight.)

## ADMIRAL URIU'S ADVICE TO LOCAL JAPANESE

Vice Admiral Baron Uriu, speaking to the staff of the Shinto yesterday morning, said that he thoroughly believed in the policy of that paper advocating industrial peace and racial assimilation. Among other things, he said:

"Assimilation means expansion; without it, our countrymen must be shut in in a small island empire. Assimilate with the people wherever you go and do it thoroughly. Why do you think of sending back your children to your home country? If they grow up to be honest and respectable citizens elsewhere, that is enough. They are doing their real duty.

"Liberty and equality are all right in school books, but often they are not practicable in all places and at all times. Be patient, and aspire to cause yourselves to be treated equally and with respect by others."

The admiral met the members of the Shinto staff and was well pleased with the newspaper offices. He said: "I have great confidence in you, gentlemen. You ought to be able to shape the policy of the resident Japanese and steer them toward a peaceful assimilation."

### VICTIM OF SUN YAT SEN.

Nobus Kato, captain of infantry, aged 30, has been relieved of his office on the ground that he was found to be in conspiracy with the Chinese revolutionary party headed by Sun Hsien (Sun Yat Sen). In his student days Kato was looked upon as a bright youth, being gifted with a clear head and energetic spirit. After leaving the Military Cadet School he was appointed sublieutenant in 1901, and two years later promoted to lieutenant and dispatched to Tientsin. After the Russo-Japanese War he was promoted captain. He had the honor of being ordered to enter the Military University, and soon after married a daughter of Mr. Ohashi, judge in the Miyagi Court of Appeal. There appears to have been a radical change in his character soon after his marriage. He became addicted to a loose life and neglected his wife and studies, and consequently his bad conduct became widely known. Two years ago he was at last dismissed from the university. It was also discovered that during his tenure of office in Tientsin he frequently had secret communications with Sun Hsien, the leader of the Chinese revolutionary party, and that after his return to Japan he had been carrying on personal and communicative intercourse with several revolutionists.—Japan Times.

### TAFT WILL CONSIDER VISIT.

George B. McClellan sent the following cablegram to the Honolulu Chamber of Commerce yesterday:

"President Taft now thinks it impossible for him to visit Hawaii, but says that he will consider the matter."